

[Docket Item 16]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

CADET V.A. BY HER GUARDIAN AD  
LITEM, M.A.,

Plaintiff,

v.

NEW JERSEY NATIONAL GUARD  
YOUTH CHALLENGE PROGRAM, et.  
al.,

Defendants.

HONORABLE JEROME B. SIMANDLE

Civil Action No. 06-347 (JBS)

**ORDER**

This matter having come before the Court upon Defendant NJYCP's motion pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss Plaintiff Cadet V.A.'s claims against it [Docket Item 16]; and this Court having considered the submissions of the parties; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS, this 9th day of July, 2007 hereby

**ORDERED** that Defendant NJYCP's motion to dismiss any of Plaintiff's claims that NJYCP is vicariously liable for Defendant Marshall's conduct is **GRANTED**; and

**IT IS FURTHER ORDERED** that NJYCP's motion to dismiss Plaintiff's negligent hiring and supervision claims is **DENIED**.

**s/ Jerome B. Simandle**

JEROME B. SIMANDLE  
U.S. District Judge